

BEFORE THE FEDERAL ELECTION COMMISSION

SECRETARIAT

2005 SEP 13 P 4: 49

In the Matter of)

Missouri Democratic State Committee)
 and Rod Anderson, in his official capacity)
 as treasurer)

MUR 5611

SENSITIVE

GENERAL COUNSEL'S REPORT #3

I. ACTION RECOMMENDED

Accept the signed conciliation agreement with the Missouri Democratic State Committee and Rod Anderson, in his official capacity as treasurer; take no further action with respect to the remaining respondents; close the file.

II. DISCUSSION

A. The Missouri Democratic State Committee

On July 12, 2005, the Commission found probable cause to believe that the Missouri Democratic State Committee (the "Committee" or "MDSC") and Rod Anderson, in his official capacity as treasurer, violated 2 U.S.C. §§ 434(b) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended (the "Act") by accepting corporate contributions, failing to report the receipt and transfer of corporate contributions, failing to report the receipt and transfer of excessive contributions, misstating financial activity, and failing to report debt.

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B. Remaining Respondents

The Commission had also found reason to believe that five entities made corporate contributions in violation of 2 U.S.C. § 441b(a) and that a limited liability company made a corporate contribution and a contribution in excess of the limits provided at 2 U.S.C. § 441a(a)(1)(C). Based on the responses from these six respondents, we now recommend that the Commission take no further action and close the file with respect to these respondents.²

III. RECOMMENDATIONS

1. Accept the attached signed conciliation agreement with the Missouri Democratic State Committee and Rod Anderson, in his official capacity as treasurer.
2. Take no further action with respect to the Greene Law Firm, the Lakin Law Firm, PC, the Padberg Law Firm, Robert Palmer PC, THF Realty, Inc., and Zimmerman Properties, LLC.

² Respondents the Lakin Law Firm, PC, the Padberg Law Firm, Robert Palmer PC, and Zimmerman Properties LLC asserted that they contributed to support the MDSC's non-federal activities and that the MDSC mistakenly deposited their contributions into its federal account. They are supported by similar statements on the part of the MDSC. State records show that the Respondent Greene Law Firm's corporate status had lapsed by the time of its contribution. With respect to the last remaining respondent, bank records show that the contribution that appeared to be from THF Realty, Inc. was actually a contribution from Michael Staenberg, the president of THF Realty, who was using the corporate address instead of his residential address for privacy reasons.

3. Approve the appropriate letters.

4. Close the file.

Lawrence H. Norton
General Counsel

Date: 9/18/05

BY:

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Attachment:

1. Conciliation Agreement
2. Conciliation Agreement (red-lined version)

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